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## Letter dated 24 October 2007 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the document of the Republic of Belarus entitled "Certain facts and figures on the protection of human rights in the Republic of Belarus" (see annex).

I should be grateful if you could have the present letter and its annex circulated as a document of the General Assembly under agenda item 70 (c) "Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives".

(*Signed*) Andrei **Dapkiunas**
Permanent Representative of Belarus

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## Annex to the letter dated 24 October 2007 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

[Original: Russian]

## Certain facts and figures on the protection of human rights in the Republic of Belarus

The Constitution of the Republic of Belarus proclaimed Belarus a democratic law-based State and specified the protection of the rights and freedoms of the citizens of the Republic of Belarus as a paramount goal.

Belarus is developing dynamically as a democratic, social, law-based State. National legislation is formulated in accordance with the norms of the Constitution and international legal standards, including European standards.

### Freedom of associations

The Republic of Belarus attaches great importance to the development of civil society as an essential condition for the establishment of a law-based State.

New public associations are established on a regular basis in Belarus. More than a thousand public associations and 25 labour unions have been registered in the past five years.

The legal bases for the establishment and activities of public associations are laid down in the Constitution of the Republic of Belarus. Under national legislation, a public association must register with the judicial authorities. The purpose of registration is to enhance the legality of the activities of such associations and prevent the formation of extremist organizations.

When it is registered by the State, an association acquires the status of a legal person and is entered in the appropriate register. Information on the registration of an association is published in official periodicals.

As of September 2007, 16 political parties and more than 2,000 public associations, of which more than 200 organizations have the status of international organizations, had been registered in Belarus.

In addition, 17 unions and groups of public associations operate in Belarus, and the youth movement is actively growing.

The Government of Belarus has taken significant measures to implement the social rights of citizens, the right to work and to form labour unions.

In accordance with the Act of the Republic of Belarus on labour unions, citizens have the right to form labour unions freely and voluntarily and to join them. They exercise this right very actively in Belarus — more than 90 per cent of working people are union members. Thirty-seven registered labour unions ensure the observance and protection of workers' rights.

A draft law on labour unions is currently being prepared in Belarus. It will regulate in a comprehensive manner the questions of the formation, registration and activities of unions. The draft law is based on international legal norms in this field

and the obligations undertaken by the Republic of Belarus within the framework of the International Labour Organization.

**Freedom of the mass media**

Relations with the mass media in Belarus are being developed in strict accordance with the Constitution and current legislation on the press. Freedom of thought and belief and their free expression are guaranteed under the Constitution.

There are more than twice as many independent print publications than State publications in Belarus. As of 1 September 2007, the country's information field comprised more than 1,200 print media, of which more than 800 or about 70 per cent were non-State mass media. In Belarus, there are more than 200 electronic media and 9 information agencies, of which only one is a State agency. Of the 60 television programmes, more than 30 are non-State.

There is a network of both State and non-State mass media distributors in Belarus. Under the law, the questions of the production and distribution of products, including mass media products, are the prerogative of management entities and are decided solely on a contractual basis.

**Freedom of conscience and religion**

The ethnic and religious situation in Belarus has traditionally been stable and conflict-free. Maintaining this stability is one of the State's main tasks.

State policy in the field of national and cultural relations aims to create the conditions for the development of all ethnic groups as the united Belarusian people and also to promote the spiritual and cultural enrichment of the Belarusian diaspora abroad.

There are almost 3,000 religious communities in Belarus, representing 25 denominations and religious branches. All denominations are equal before the law.

At the present time, there are more than 2,000 active houses of worship and more than 200 are under construction.

**Right to judicial protection**

Belarusian procedural legislation guarantees the right of citizens to an impartial public trial by an independent and competent court. More than 98 per cent of criminal and civil cases are tried by courts within two months. Cases involving administrative violations are heard, as a rule, within 15 days.

The number of court applications is increasing annually. In 2006, courts heard more than 200,000 civil cases, which was 50 per cent more than in 2000. More than 95 per cent of the claims were sustained.

The National Social Monitoring Commission, established under the Ministry of Justice of the Republic of Belarus, oversees the activities of the agencies and institutions that carry out punishment and other measures relating to criminal liability.

Under the new Code of Administrative Violations, which entered into force in Belarus on 1 March 2007, citizens have the possibility of appealing court decisions

on administrative cases through an annulment procedure. Previously, decisions on administrative cases took effect immediately and were not subject to annulment appeal.

In order to ensure access to due process of law, reductions in the State fee for judicial recourse were instituted for certain categories of citizens. Belarusian legislation in specific cases also provides for legal assistance to citizens free of charge or at State expense.

**Interaction between State agencies and citizens**

In Belarus, there is a clearly defined system of interaction between citizens and the State. A corresponding legislative basis has been established, and there are effective mechanisms to ensure a mandatory operational response to appeals by citizens to State administrative bodies.

The directors of State agencies and other organizations bear a personal responsibility for carrying out the necessary work with regard to appeals by citizens.

According to the results in 2006, national administrative agencies and other State organizations subordinate to the Government received almost 900,000 appeals from citizens, and more than 2,000 citizens were interviewed.

**Rights of refugees**

Asylum seekers in Belarus are protected in accordance with international norms and standards. Since 2001, the Republic of Belarus has been a party to the Convention relating to the Status of Refugees and the Protocol thereto relating to the Status of Refugees.

There is an integral legal and social protection system for asylum seekers. The Act on refugees corresponds to generally recognized requirements. A draft law on the provision of additional and temporary protection in the Republic of Belarus to foreign citizens and stateless persons has been drawn up in order to further improve legislation.

Since 1997, more than 3,000 foreigners from more than 40 States have submitted applications in Belarus for recognition as refugees. As of the beginning of October 2007, almost 800 persons from 13 countries had been recognized as refugees.

Belarusian legislation in practical terms places recognized refugees on an equal footing with citizens of the Republic. The most favourable possible conditions for the social integration of forced migrants have been created in Belarus.

Belarus is currently carrying out its third State Migration Programme, which covers the period 2006-2010.

In 2006, more than 12,000 foreigners were given permanent residence in the Republic of Belarus. The number of permanent residence permits issued in 2006 was 13 per cent higher than the number in 2005. More than 300,000 foreigners temporarily visiting Belarus for various purposes were registered, which was almost 25,000 more than in 2005.

**Gender equality**

The participation of women in the highest levels of legislative and executive bodies is expanding in Belarus.

According to the results of the 2004 parliamentary elections, 32 women were elected to the lower house of parliament and 18 to the upper house. In general, the proportion of women in the National Assembly of the Republic of Belarus stands at more than 30 per cent.

The representation of women in local legislative and executive bodies is increasing. According to the results of local elections to legislative bodies in January 2007, more than 10,000 women were elected in January 2007, constituting more than 45 per cent of the number of deputies.

Women comprise more than 65 per cent of State employees at all levels of administration. Gender balance has been achieved in the judicial field — women make up 50 per cent of judges. Women are more represented than men among lawyers (more than 60 per cent) and among notaries (more than 90 per cent of State notaries).

The educational level of women in Belarus is higher than that of men. There are approximately 20 women's public associations in Belarus.

**Social and economic rights**

As of the end of June 2007, the level of unemployment in Belarus stood at 1 per cent. A special issue of the European Commission publication European Economy (June 2007) points out that, against the background of a growth in salaries, Belarus has had one of the lowest unemployment indices in Europe. In the opinion of the study's authors, this reflects stable economic growth and the general social orientation of the Government.

According to the rating given by the United Nations Development Programme (UNDP), Belarus ranks sixty-seventh on the list of countries with the most favourable living conditions and has maintained its leading position in such fields as education and health care, overtaking many developed countries in a number of indices in these areas.

According to the Human Development Report 2006, State expenditures for education in Belarus amounted to almost 6 per cent of its gross domestic product.

Belarus has one of the highest levels of literacy among young people in the world — 99.8 per cent.

According to data from the United Nations Population Fund's report State of World Population 2007, Belarus has the lowest child-mortality index among the countries of the Commonwealth of Independent States — 14 for every 1,000 newborn infants, and has one of the world's lowest illiteracy rates — 1 per cent among women older than 15 and a complete absence of illiteracy among men in that age group; whereas the world average index stands at 13 per cent among men and 23 per cent among women.

According to data from the World Health Organization, the Republic of Belarus ranks fifth in the world in the number of doctors per 1,000 persons.

A number of comprehensive State programmes and plans have been adopted in Belarus in the basic areas and priorities of State policy relating to labour, employment, demographic security and social protection.